

PLEA / MOTION HEARING MINUTE SHEET
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO (AT ALBUQUERQUE)

CR 05-1849 JH**UNITED STATES vs. GREG HILL**

Before The Honorable Alan C. Torgerson, United States Magistrate Judge

Hearing Date:	August 13, 2010	Time In and Out:	11:44 am - 12:16 pm (COURT TIME: 21 mins)	
Clerk:	Mary Lou Gonzales	FTR Information:	FTR-Gila	
Defendant:	Greg Hill	Defendant's Counsel:	Billy Blackburn	
AUSA:	James Braun	Interpreter:	None	Sworn
X	Defendant Sworn		First Appearance	
X	Consent to proceed before a magistrate judge and original plea agreement reviewed and executed by Deft.			
X	Deft acknowledges receipt of: Superseding Indictment			
	If Deft proceeding by way of information, Deft acknowledges right to an indictment and waives that right.			
X	Terms and conditions of proposed plea agreement explained.			
X	Factual predicate to sustain the plea provided.			
X	Deft questioned re Deft's age, education, physical/mental condition, and whether under the influence of alcohol, drugs, or any medication. Deft advised of charge(s), penalties and possible consequences of the plea.			
X	Deft advised of constitutional rights, loss of rights, and maximum possible penalties (including imprisonment, fine, supervised release, probation, SPA, restitution, and any forfeitures).			
X	Deft questioned re time to consult with attorney and if satisfied with his or her representation.			
X	Court finds Deft fully understands charge(s), terms of plea, and the consequences of entry into plea agreement.			
X	Deft pleads GUILTY to: Ct. 1 of the Supr. Indictment			
X	Allocation by Deft on elements of charge(s). Elements recited by Court w/affirmation by deft			
X	Court finds plea freely, voluntarily, and intelligently made; plea of guilty accepted.			
X	Deft adjudged guilty.			
X	Acceptance of plea agreement deferred until final disposition hearing by district judge.			
X	Sentencing Date: to be notified			
	Defendant to Remain in Custody			
X	Present conditions of release continued		Conditions changed to:	
	Penalty for failure to appear explained			
X	Presentence Report Ordered		Expedited (Type III)	

X	<p>Other Matters: Deft agrees to forfeit currency found in residence and forfeit all funds in bank account outlined in Paragraph 15(b) of the Plea Agreement. Court takes judicial notice of memorandum to continue conditions of release submitted by Blackburn (re case law Mutte Case - 10th Cir. Ct) and Pre-Trial Services Status Report; gov't argues for detention pursuant to § 3143 and in this case Mr.Hill is not an exceptional circumstances. Blackburn argues § 3145(c) there are exceptional circumstances to allow deft to continue on presently imposed conditions of release. Court grants deft's motion; deft has performed well under his conditions of release and there are exceptional circumstances pending sentencing. Gov't will not request deft be detained pending sentencing and does not wish to have the order stayed pending appeal. Blackburn to submit order for Court's signature.</p>
X	cc: Probation & Irene Duran, CRD